

Appl. No. : 10/030,778
Filed : January 7, 2002

REMARKS

The specification has been amended to correct “a sphere” to “a partial sphere”. As can be seen from the figures (e.g., Figs. 1 and 6) and the specification (e.g., page 3, lines 6-7), the attachment piece (e.g., 30) is curved in the form of “a partial sphere”, not “a sphere.” No new matter has been added. Claims 1-8 and 14-16 are pending in this application. Claims 2, 7 and 8 have been withdrawn from consideration as directed to a non-elected invention. However, if a generic claim is held to be allowable, rejoinder of Claims 2, 7 and 8 is respectfully requested. Applicant respectfully requests entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

Difference between JP 63-36804

The Examiner asserts that JP 63-36804 includes a spherical surface 19 in Figs. 1-3 which may be significant once a translation is obtained, and no rejection is made at this time using this documents since to do so would involve speculation by the examiner as to what the document fairly teaches. The Examiner states that he has requested translations of the non-English reference submitted by applicants on April 9, 2004 from STIC within the USPTO. Thus, no translation of JP 63-36804 is attached herein.

In JP 63-36804, the spherical surface 19 is a strut housing to which a body ring plate 20 is attached. The body ring plate 20 may correspond to the bolt-fastening surface region recited in independent Claims 1, 15, and 16. Apparently, the body ring plate 20 is not fastened to the strut housing 19 with a bolt. Further, the body ring plate 20 does not have the upward convex portion formed inward of the bolt-fastening surface regions and protruding from the partial sphere toward the attachment plate as recited in Claims 1, 15, and 16. Thus, JP 63-36804 could not render Claims 1, 15, and 16 unpatentable. At least for the reason, the dependent claims also could not be unpatentable over JP 63-36804.

Objection of Specification

The specification has been objected to as failing to provide proper antecedent basis for the claimed subject matter. Correction of the following has been required: The detailed description appears to lack an antecedent basis for the phrase “partial sphere” of each of the independent

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claims. The specification has been amended to correct the informalities. Support for the amendments can be found in e.g., Figs. 1 and 6 and e.g., at page 3, lines 6-7 of the specification. It is respectfully requested that the objection be withdrawn.

Rejection of Claims 1, 3-6 and 14-16 Under Obviousness Type Double Patenting

Claims 1, 3-6 and 14-16 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,712,370 to Kawada et al. Applicant respectfully submits a terminal disclaimer attached hereto. Thus, this rejection should be obviated. It is respectfully requested that the rejection be withdrawn.


CONCLUSION

In light of the Applicant's foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: October 14, 2004 By: 
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